

POOR QUALITY DOCUMENT
SEE 201 FOLDER FOR HARDCOPY

FOR : Chief, Contact Division
Support Branch

16 Jan 62

BY : Resident Agent

RM-3051

Case 30,973 Michael Marlak

1. The enclosed letter to C R/A of 11 Jan 62 from Mrs. Michael Marlak of Thomaston, Connecticut, is forwarded for two reasons:

- a. So that Headquarters may supply direction as to how it should be answered, since reply is necessary;
- b. To show that we were unfortunately correct in our reported insistence (most recently voiced in Memo RM-2211 of 13 Feb 50, this case), that the procedure of acquiring releases from the Marlaks, and their cousin, Konstanty Marlak, might have the effect of getting SR/DOR off the hook to DOR's satisfaction, but this legalistic action did nothing whatever to get the Agency out of a situation that was not only embarrassing but potentially dangerous.

2. As you will recall, the Marlaks took a trip to Russia thinking that \$1,500 of it would be paid by "the Government" because of what Konstanty told them; that Konstanty briefed them on FPI matters; that, knowing nothing about this, and having received clearance to interrogate them, Agency representatives of this office and of Boston talked to them along FPI lines; that this combination of ingredients caused them to believe that CIA was the original sponsor; that DOR, stating that no commitment had ever been made (and therefore nothing was owed), got a statement from Konstanty: "I, the undersigned, assume full responsibility regarding the trip of Michael Marlak to Lyskowskia", and, through Konstanty, received one from the Marlaks: "I, the undersigned, declare that I have nothing against the U.S. Government, or any other person in relation with our trip to Lyskowskia, due to some misunderstanding in handling this matter. However, I feel that transportation expenses should be reimbursed."

3. While DOR considered that the two statements covered the situation, the arrival of Mrs. Marlak's letter is pretty conclusive proof that they did not, and, as we fruitlessly tried to point out before, there were two obvious reasons for this. The first is that we were enjoined from telling

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SUBJECT: Case 100,075 Michael Marlak

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the Marlaks about Konstanty's written assumption of responsibility; he certainly wasn't going to tell them unless forced to do so, and obviously they knew nothing about it as of 11 Jan. The second reason is that the Marlaks' statement itself indicated that, in their minds, the debts of their trip continued to be unfinished business, and that money was due them from somebody -- presumably CIA.

4. The purpose of this letter is not to intercede for payment of \$1,500 of Agency funds to the Marlaks inasmuch as, regardless of what Konstanty may have told them or they may have concluded from the FBI questions we put to them, CIA does not owe them the money. What we do believe is that the Marlaks must be apprised of Konstanty's confessed responsibility for their having incurred the debt. This won't pay them back but at least it will get the Agency off the hot seat. We doubt that Konstanty can be persuaded to give them the true story -- obviously it would be best that way -- and consequently we suggest that we be empowered to tell them.

5. One more point. You will note in Mrs. Marlak's letter the allusion to the possibility of partial reimbursement. We don't know where she got this idea -- possibly from Konstanty -- but it certainly was not from us. We have never discussed with the Marlaks, either in person or in writing, any aspect of possible reimbursement. This mis-information alone makes it important to reply to her in adequate fashion. Please advise.

Enclosure

FILE: Michael Marlak